

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

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ICPEP, LLC,  Plaintiff,  vs.  SMC SPECIALTY FINANCE, LLC, GARY S. RASKIN, and ALASTAIR BURLINGHAM,  Defendants.	Case No. 1:24-cv-01819-JRS-KMB
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**JOINT JURISDICTIONAL STATEMENT**

Pursuant to the Court’s November 6, 2024 Order Directing Further Proceeding (ECF No. 12), Defendants SMC Specialty Finance, LLC, Gary S. Raskin, and Alastair Burlingham (collectively “Defendants”) and Plaintiff ICPEP, LLC (“Plaintiff” or “ICPEP”) hereby jointly submit the following jurisdictional statement.

**Citizenship of the Parties**

1. Plaintiff ICPEP asserts it is a limited liability company that was formed in Wyoming and registered to do business as a foreign limited liability company in Indiana. Danny Chan, an individual, is the sole member of ICPEP. Mr. Chan is domiciled in Indiana, where he resides and has a bona fide intent to remain. Plaintiff therefore asserts Mr. Chan is a citizen of Indiana. *See Page v. Democratic National Committee*, 2 F.4<sup>th</sup> 630, 634-35 (7<sup>th</sup> Cir 2021); *Dakuras v. Edwards*, 312 F.3d 256, 257-58 (7<sup>th</sup> Cir. 2002).

2. Defendants assert that Defendant Gary Raskin is domiciled in California, where he resides and has a bona fide intent to remain. Defendants assert that Defendant Raskin is therefore a citizen of California.

3. Defendants assert Defendant Alastair Burlingham (“Burlingham”) has resided in California for over 8 years and intends to continue living there for the foreseeable future but is also a citizen of the United Kingdom. Thus, for diversity purposes, Defendants assert he could be determined as a citizen of California or the U.K., either of which supports diversity jurisdiction.

4. Defendants assert that Defendant SMC Specialty Finance, LLC (“SMC”) is a limited liability corporation that was formed in California and maintains its principal place of business in California. Raskin and Burlingham are the sole members of SMC. Since Raskin and Burlingham are citizens of California and the United Kingdom, respectively, Defendants assert SMC is also a citizen of California and the United Kingdom for purposes of removal.

#### **Amount in Controversy**

5. Although Defendants deny all of Plaintiff’s material allegations contained in their Complaint, the amount in controversy of the claims asserted by Plaintiff in the Complaint exceed \$75,000.00, exclusive of interest and costs. Thus, the amount in controversy exceeds the \$75,000 jurisdictional threshold.

Date November 21, 2024

Respectfully submitted,

/s/ Andrew F. Marquis

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Date November 21, 2024

Respectfully submitted,

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